<table>
<thead>
<tr>
<th>Agenda Item No. 01</th>
<th>Agenda</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OBJECTIVE:</strong></td>
<td>Approval of the April 6, 2010 Idaho Building Code Board’s Meeting Agenda.</td>
</tr>
<tr>
<td><strong>ACTION:</strong></td>
<td>Consent</td>
</tr>
<tr>
<td><strong>BACKGROUND:</strong></td>
<td></td>
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<tr>
<td><strong>PROCEDURAL HISTORY:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>ATTACHMENTS:</strong></td>
<td>Copy of the April 6, 2010 Idaho Building Code Board’s tentative agenda.</td>
</tr>
</tbody>
</table>
TENTATIVE

NOTICE OF PUBLIC HEARING/MEETING

IDAHO BUILDING CODE BOARD

DIVISION OF BUILDING SAFETY
Board Conference Room
1090 East Watertower Street
Meridian, ID  83642
(208) 334-3950 -- dbs.idaho.gov

AGENDA
Tuesday, April 6, 2010
(Please note the following agenda items and time schedule are tentative pending board action.)

9:30 a.m. CALL TO ORDER – Ron Whitney, Chairman
o Roll Call & Introductions
   o Open Forum

CONSENT AGENDA
1. Approval of the April 6, 2010 Agenda

2. Approval of the February 9, 2010 Board Meeting Minutes

PUBLIC HEARING

INFORMATIONAL AGENDA

5. Administrator’s Report
   a. Plan Review Fees – C. Kelly Pearce
   b. CAS – C. Kelly Pearce and Janice Foster
   d. Administrator – C. Kelly Pearce

EXECUTIVE SESSION (If needed)

12:00 p.m. ADJOURN

All times other than beginning are approximate. Agenda items may shift depending on board preference.   03/15/10rb
**IDAHO BUILDING CODE BOARD**

<table>
<thead>
<tr>
<th>Agenda Item No. 02</th>
<th>Minutes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OBJECTIVE:</strong></td>
<td>To approve the February 9, 2010 Idaho Building Code Board Meeting Minutes.</td>
</tr>
<tr>
<td><strong>ACTION:</strong></td>
<td>Consent</td>
</tr>
<tr>
<td><strong>BACKGROUND:</strong></td>
<td></td>
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<tr>
<td><strong>PROCEDURAL HISTORY:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>ATTACHMENTS:</strong></td>
<td>Copy of the February 9, 2010 Idaho Building Code Board’s “draft” Meeting Minutes.</td>
</tr>
</tbody>
</table>
The meeting was called to order by Vice Chairman Ron Whitney at 9:30 a.m. on Tuesday, February 9, 2010.

**Board Members Present:**
- Ron Whitney, Vice Chairman
- Carol Alexander
- Michael Arrington
- Scott Buck
- Jan Welch
- Chuck Bleth
- Bobby Ball
- Andrew Bick
- Ken Sommer

**DBS Staff Members:**
- C. Kelly Pearce, Administrator
- Steve Keys, Deputy Administrator, Operations
- Janice Foster, Deputy Administrator, Administration
- Patrick Grace, Deputy Attorney General
- Kirk Weiskircher, Financial Specialist, Principal
- Jack Rayne, Building Bureau Chief
- Bill Hatch, Public Information Officer
- Arlan Smith, Plan Review Program Manager
- Renee Bryant, Administrative Assistant 2/Board Secretary
- Sharon Chisom, Office Specialist 2

**Board Members Absent:**
- Mike Tracy

Carol Alexander, representing city building officials, Michael Arrington, representing commercial contractors, and Scott Buck, representing fire officials, were welcomed to the Board.

Congratulations to Bobby Ball, Disability Representative, and Jan Welch, Registered Engineer, on their reappointments to the Board.

Departing board members, Ed Wagner and Doug Brown were recognized with plaques for their many years of service on the Board.

♦ **Open Forum**

No items were addressed.

♦ **Approval of the February 9, 2010 Agenda**

Vice Chairman Ron Whitney requested an item 5a be added to the agenda to address the status of the Administrative Rules on the 2009 code adoption and an item eight to review the 2010 calendar on upcoming Building Code Board meetings and explained why these needed to be added.

**MOTION:** Ken Sommer made a motion to approve the February 9, 2010 Agenda with the additions. Andrew Bick seconded. All in favor, motion carried.
Approval of the October 20, 2009 Board Meeting Minutes

MOTION: Chuck Bleth made a motion to approve the October 20, 2009 meeting minutes. Scott Buck seconded. All in favor, motion carried.

Election of Officers

Chairman Ed Wagner is no longer on the Board, necessitating an election for a new chairman.

Chairman

MOTION: Ken Sommer made a motion to nominate Ron Whitney as Chairman. Andrew Bick seconded. All in favor, motion carried.

The statute does not require a vice chairman for this Board, however; it was recommended appointing one to fill-in for the chairman should the need arise.

Vice Chairman

MOTION: Ken Sommer made a motion to nominate Carol Alexander as Vice Chairman. Jan Welch seconded. All in favor, motion carried.

Proposed Changes to the 2009 IECC for Log Homes

Patrick Grace explained the process the Board went through in 2009 to adopt the 2009 Energy Codes. In October 2009, the log home industry brought forth concerns about the adoption of the codes and how it might adversely affect their industry. The Board was receptive; however, was unable to amend the codes as it was beyond the legislative time period.

An amendment to the 2009 Energy Codes has been drafted to the satisfactory of the log home industry. Upon the approval of the codes, and after the closure of the 2010 legislative session, the Division, through the negotiated rulemaking process, will proceed with a temporary draft rule.

It is expected that the 2009 Energy Codes and temporary amendment for log homes will become effective January 1, 2011.

2009 Administrative Rules Status

The rules have been submitted to the Senate Committee and House Subcommittee, with no objections, and should be reviewed by the House Committee within the next week.

Potential Code Amendments

Anyone interested in recommending proposed amendments to the codes is encouraged to go to the DBS website at http://dbs.idaho.gov, click on the link at the bottom of the page titled, “Guidelines for Submitting Proposed Changes to the 2009 Building or Energy Codes”, and fill-out the form. Deadlines to submit proposed amendments are two weeks prior to the April 6th and June 9th meetings.

A notice of the negotiated rulemaking and hearing dates will be published in the March Administrative Bulletin. The dates are regular board meeting dates as well.

Bureau Chief’s Report

School Plan Reviews – The Division has seen a reduction of approximately 46 percent in school plan reviews since the school plan legislation went into effect July 1, 2009, with no accounting as to who may have actually performed the required code reviews.
State Projects – The renovation of the Capitol Building is complete. BSU has sizeable projects coming up and the Division may inspect one or more of them.

Modular and Manufactured Industries – Since the downturn in the economy, the modular and manufactured industries are struggling.

Contract Inspection Services – The Bureau is under contract with eight cities in northern Idaho to provide building code inspections which is accomplished by using a part-time inspector.

♦ Administrator’s Report

CAS – Janice Foster provided a brief history on the Division’s Customer Access System (CAS). The DBS purchased the software and will allow other jurisdictions to use it as well.

Electronic Plan Review – An architectural licensing law requires plans to be “wet” stamped and signed when submitted to a government entity for approval and review. The law does not charge the DBS with enforcing the law; however, the Division does require plans be prepared by an architect licensed within the state of Idaho.

Project DOX – The city of Boise is buying this program. There is a law that allows school districts to save money if they go through fundamental commissioning and integrated design process on new schools. The Division is making Project DOX available to architects wanting to use it to communicate and go through the integrated design process.

Oregon is currently using Adobe Pro for their electronic plan reviews; however, they are considering the DOX program.


Energy Code/Energy Efficiency – Kelly Pearce reiterated the qualifications and procedures school districts must meet in order to apply for assistance through the Idaho Public School Facilities Cooperative Funding Program. The Plummer/Worley school district is the first to utilize this program.

It was suggested a structural evaluation be required prior to the re-roofing of any school building. Currently school district’s hire a contractor to put a new roof on without knowing the impact, if any, especially if changing the roof from an R3 to an R20.

**ACTION:** Patrick Grace to further explore the structural evaluation suggestion with Jan Welch.

Economy/Work Force Reduction – The economy continues to decline. The Division is in the process of re-evaluating the agency for the potential of additional layoffs. Kelly Pearce explained the cost the state incurs by placing employees on furloughs rather than layoffs.

Proposed County Option Legislation – The Idaho Counties Association’s proposed legislation allowing counties to ‘opt out’ of the Division of Building Safety (DBS) permitting/inspection program in favor of their own will go before the House Business Committee this afternoon. The purpose of the hearing is to move the bill from ‘R.S.’ status to ‘print’ status.
F-35 Project – The State is making a concentrated effort to bring the F-35 Air Force fighter bombers to Mountain Home Air Force Base and Gowen Field. The Air Force is holding hearings throughout the valley to measure the sentiment in the state of Idaho to having this project. If awarded this project, it would bring approximately 3,000 employees to the Idaho air base facilities.

For more information go to IdahoF35.com.

♦ Review 2010 Meeting Dates
The first public hearing to address rule changes will be April 6, 2010, the second public hearing will be June 8, 2010, and the 4th regular board meeting will be October 19, 2010.

♦ Executive Session
No Executive Session was required.

MOTION: Ron Whitney motioned to adjourn the meeting. Andrew Bick seconded. All in favor, motion carried. The meeting adjourned at 11:03 p.m.

___________________________________   ___________________________________
RON WHITNEY, CHAIRMAN  C. KELLY PEARCE, ADMINISTRATOR
IDAHO BUILDING CODE BOARD  DIVISION OF BUILDING SAFETY

DATE                        DATE

*These DRAFT minutes are subject to possible correction and final approval by the State of Idaho Building Code Board. 02/25/10rb
Agenda Item No. 03  Public Testimony - 2009 Code Amendments

OBJECTIVE: To inform the public of the procedures and deadlines the Board has established to submit amendments to the 2009 codes.

ACTION: Informational

BACKGROUND: During the code adoption process last year the Board established a procedure for interested members of the public to submit proposed amendments to the building codes. This included filling out an on-line form on the DBS web-site and submitting the proposed change (electronically) along with any relevant documentation (mail/fax) to the Board for its consideration. The Board established a deadline of two weeks prior to the date of the public hearing and asked that each proposed amendment be accompanied by supporting rationale. The Board will use the same process this year. The Board also seeks to inform the public that the two public hearings to address amendments to the adopted codes (if any) have been set by the Board to occur on the scheduled board meeting dates of April 6, 2010 and June 8, 2010.

PROCEDURAL HISTORY:

ATTACHMENTS: On-line form and potential code amendments
NOTICE OF RULEMAKING

Please be advised that the Idaho Building Code Board has scheduled two public meetings, April 6, 2010 and June 8, 2010, to allow interested parties to recommend proposed amendments to the 2009 Building and Energy Codes.

The public meetings will be held at the Division of Building Safety (DBS) office at 1090 East Watertower Street, Meridian, Idaho 83642. Attached to this Notice is a copy of the tentative agenda for the April 6th meeting. The Board will permit oral comments or presentations to be made to the Board by any interested individuals at that time. Additionally, a form with instructions is attached to this notice on which the Board is requesting you use to submit comments, questions, or recommendations. The form is also available on the DBS website and may be submitted electronically via the website http://dbs.idaho.gov. It also may be printed and sent via mail to DBS at the address above. The deadline for submitting comments on that form is March 23, 2010. The Board respectfully requests that the deadline be adhered to in order that the Board is able to prepare and give due consideration to all comments and recommendations in advance of the April 6th meeting; however, if special or extenuating circumstances arise, the Board will accept comments up until, but not later than April 2, 2010. The Board also requests that you provide any additional documentation that supports any comment or recommendation you may have.

Should you have any questions or concerns about this rulemaking process or the public meetings, please contact me or an appropriate member of the DBS staff at 208-334-3950, or the Chairman of the Idaho Building Code Board Ron Whitney at 208-343-2502 and ron@whitneyhomes.com. The Idaho Building Code Board looks forward to your participation.

Sincerely,

C. KELLY PEARCE
Secretary, Idaho Building Code Board
Administrator, Division of Building Safety

c: Idaho State Building Code Board

Enclosure: (1) April 6, 2010 Idaho Building Code Board Agenda
(2) Building Code Change Submittal Form and Instructions
The mission of the Division of Building Safety is to safeguard the citizens of Idaho through responsible administration of building and construction related safety and licensure standards while promoting a positive business climate.
State of Idaho Building Code Board Guidelines for Submitting Proposed Changes to the 2009 Building or Energy Codes

The Idaho Building Code Board is currently engaged in the process of adopting the 2009 International Building Codes. Recent legislation has provided the Building Code Board with new authority to amend the adopted building codes through a negotiated rulemaking process. As a result, the Board is soliciting and will consider input from members of the public who may have recommendations regarding the adoption and amendment of codes. In order to provide a uniform process for submission and consideration of individual recommendations, the Board has developed the attached form for use by persons or organizations wishing to provide comments. All comments and/or recommendations should be submitted to the Board in the format of the attached form. Forms may be acquired from the Division of Building Safety, Building Bureau, or may be printed directly from the DBS website at www.dbs.idaho.gov. When submitting recommended changes to a particular building code, existing provisions in the code proposed for deletion must be shown by using strikethrough. Text proposed to be added must be shown by using underlines.

In order to receive the best possible consideration, a proposed code amendment must clearly identify reasons for the change with supporting documentation meeting the standard of providing reasonable safeguards for the health, safety, welfare, comfort, and security of the residents of Idaho who are occupants of and/or users of buildings. In addition, the Idaho Building Code Board will review proposed amendments using the following criteria (must satisfy at least one to be recommended):

1. The code change is unique to Idaho because of geographic or climatic conditions.
2. The code change is necessary to interface with other laws or regulations of Idaho.
3. The estimated added cost or economic impact is reasonable and necessary in order to realize the goal of the proposed code change.
4. The matter addressed by the proposed amendment is not adequately covered by the existing code.
5. The code change is necessary to conserve scarce resources.
State of Idaho Building Code Board
Building Code Change Submittal

Date ______________

Proponent ______________________________________
(Jurisdiction, Chapter, Company, Association, Organization, etc)

Name ____________________________________________

Address _________________________________________
Street __________________________ City __________ State __ State __ Zip Code __________

Email __________________________ Phone Number __________________

Specific code considered for amendment (IBC, IRC, IECC, IEBC) __________________________

Section __________ Page __________ Change the paragraph to read as follows:

Reason for change with supporting documentation:
### IDAHO BUILDING CODE BOARD

**Agenda Item No. 04**  
**Bureau Chief’s Report**

**OBJECTIVE:** To report on the recent activities of the Building Code Board.

**ACTION:** Informational

**BACKGROUND:** This topic is addressed at all regularly scheduled Building Code Board meetings.

**PROCEDURAL HISTORY:**

**ATTACHMENTS:** No documentation
Agenda Item No. 05a  Plan Review Fees

OBJECTIVE:  To discuss the restructuring of plan review fees.

ACTION:  Informational

BACKGROUND:  Pursuant to statutory authority, plan review fees charged by the Division shall be established by rules promulgated by the Board. (I.C. 39-4113(2)). Currently, the plan review established in rule is located at IDAPA 07.03.01.028.03, which states plans review fees shall be 65% of the calculated building permit fee. The Division has reviewed its plan review fee and the costs associated with performing plan reviews and believe that consideration of a new fee structure is appropriate.

PERIODICAL HISTORY:

ATTACHMENTS:  No documentation
OBJECTIVE: To inform the Board of current changes/updates to the Division’s computer program.

ACTION: Informational

BACKGROUND: This topic is addressed at all regularly scheduled Building Code Board meetings.

PROCEDURAL HISTORY:

ATTACHMENTS: No documentation
## IDAHO BUILDING CODE BOARD

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<thead>
<tr>
<th>Agenda Item No. 05c</th>
<th>Financial Report</th>
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<tbody>
<tr>
<td><strong>OBJECTIVE:</strong></td>
<td>To review the Idaho Building Code Board’s Financial Report.</td>
</tr>
<tr>
<td><strong>ACTION:</strong></td>
<td>Informational</td>
</tr>
<tr>
<td><strong>BACKGROUND</strong></td>
<td>This topic is discussed at all regularly scheduled Idaho Building Code Board meetings.</td>
</tr>
<tr>
<td><strong>PROCEDURAL HISTORY:</strong></td>
<td></td>
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<td><strong>ATTACHMENTS:</strong></td>
<td>Idaho Building Code Board Financial Report</td>
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**DIVISION OF BUILDING SAFETY**
Division of Building Safety  
IDAHO BUILDING CODE FUND  
Fiscal Year 2010 Financial Statements  
As of 2/28/2010

### Statement of Revenues and Expenditures

<table>
<thead>
<tr>
<th>Class</th>
<th>Budget</th>
<th>Fiscal Year To Date</th>
<th>YTD as a % of Budget *</th>
<th>Remaining Budget</th>
<th>Projected for Remainder of Year</th>
<th>Projected Year End Totals</th>
<th>Projected Total as a % of Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenues:</td>
<td>767,000</td>
<td>358,513</td>
<td>46.7%</td>
<td>408,487</td>
<td>115,500</td>
<td>474,013</td>
<td>61.8%</td>
</tr>
<tr>
<td>Expenditures</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel:</td>
<td>602,500</td>
<td>432,162</td>
<td>71.7%</td>
<td>170,338</td>
<td>182,000</td>
<td>614,162</td>
<td>101.9%</td>
</tr>
<tr>
<td>Operating:</td>
<td>288,000</td>
<td>134,385</td>
<td>46.7%</td>
<td>153,615</td>
<td>77,500</td>
<td>211,885</td>
<td>73.6%</td>
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<tr>
<td>Capital:</td>
<td>19,000</td>
<td>1,932</td>
<td>10.2%</td>
<td>17,068</td>
<td>19,000</td>
<td>20,932</td>
<td>110.2%</td>
</tr>
<tr>
<td>Total Expenditures</td>
<td>909,500</td>
<td>568,480</td>
<td>62.5%</td>
<td>341,020</td>
<td>278,500</td>
<td>846,980</td>
<td>93.1%</td>
</tr>
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</table>

Net for FY 2010  
(142,500)  
(209,967)  
(163,000)  
(372,967)

### Statement of Cash Balance

<table>
<thead>
<tr>
<th></th>
<th>Beginning Cash Available</th>
<th>Revenues</th>
<th>Expenditures</th>
<th>Other Changes in Cash</th>
<th>Available Cash</th>
<th>Projected Change in Cash for Remainder of Year</th>
<th>Projected Year End Available Cash</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1,614,449</td>
<td>358,513</td>
<td>(568,480)</td>
<td>(3,130)</td>
<td>1,401,352</td>
<td>(163,000)</td>
<td>1,238,352</td>
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</tbody>
</table>

* Percent of Fiscal Year Completed 66.7%  
Percent of Pay Periods Completed 65.4%
## IDAHO BUILDING CODE BOARD

<table>
<thead>
<tr>
<th>Agenda Item No. 05d</th>
<th>Administrator</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OBJECTIVE:</strong></td>
<td>To provide the Board with an overview of the Division’s current activities.</td>
</tr>
<tr>
<td><strong>ACTION:</strong></td>
<td>Informational</td>
</tr>
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<td><strong>BACKGROUND:</strong></td>
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